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10/660,834

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John W. Carter

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EXAMINER

THOMAS, BRANDI N

ART UNIT

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2873

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/660,834

Applicant(s)

CARTER ET AL.

Examiner

Brandi N. Thomas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10, 14-30 and 32-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14, 15 and 34-52 is/are allowed.
- 6) ☒ Claim(s) 1-7, 16-30, 32, 33, 53 and 54 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☒ Other: Detailed Action.

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pastrick et al. (6276821).

Regarding claim 1, Pastrick et al. discloses, in figures 1-4, a rearview mirror assembly for a vehicle comprising: a housing (34) configured for attachment to the vehicle (col. 6, lines 56-59); a mirror (28) positioned in said housing (34) (col. 7, lines 4-8); a turn signal light source (32a) (col. 8, line 66 and col. 9, line 1); and a door illuminator light source (30) configured to project light towards the door handle and/or locking mechanism (88) of the vehicle (col. 6, lines 54-55 and col. 8, lines 27-52) but does not specifically disclose wherein said door illuminator light source is disposed behind said mirror so as to project light through said mirror. It would have been obvious to modify the invention to reposition the security light behind the mirror, since it has been held that rearranging parts of an invention involves only routine skill in the art (In re Japikse, 86 USPQ 70)). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention to reposition the security light behind the mirror for the purpose of the security light is previously behind a reflector (62),

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therefore repositioning the security light behind a different reflector would not alter its function (col. 7, lines 39-40).

Regarding claim 2, Pastrick et al. discloses, in figures 1-5, a rearview mirror assembly for a vehicle, wherein said mirror (28) is an electrochromic mirror (col. 7, lines 24-25).

Regarding claim 3, Pastrick et al. discloses, in figures 21-23, a rearview mirror assembly for a vehicle, wherein said light sources (230 and 232) comprise at least one LED device (col. 13, lines 62-66).

Regarding claim 5, Pastrick et al. discloses, in figures 1-5, s rearview mirror assembly for a vehicle, wherein said door illuminator light source (30) is further configured to function as a blind spot indicator light source (216) for indicating when an object is detected in a blind spot of the vehicle (col. 9, lines 52-60).

Regarding claim 6, Pastrick et al. discloses, in figure 43, s rearview mirror assembly for a vehicle, wherein at least one of said light sources (818) is disposed behind said mirror (816) so as to project light through said mirror (816) (col. 27, lines 4-6).

Regarding claim 7, Pastrick et al. discloses, in figures 1-5, s rearview mirror assembly for a vehicle, wherein said turn signal light source (32) and said door illuminator light source (30) are mounted in a common lamp module (figure 1).

3. Claims 4 and 16-30, 32, 33, 53, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pastrick et al. (6276821 B1) as applied to claim 1 above, and further in view of Schofield et al. (5786772).

Regarding claim 4, Pastrick et al. discloses a rearview mirror assembly for a vehicle but do not specifically disclose a blind spot indicator light source for indicating when an object is detected in a blind spot of the vehicle. Schofield discloses a blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-22). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Pastrick et al. with the blind spot indicator of Schofield for the purpose of allowing the driver to recognize another vehicle in the blind spot (col. 3, lines 17-22).

Regarding claim 16, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, said light module comprising: a door illuminator (30) configured to project light at a portion of a door of the vehicle (col. 6, lines 54-55 and col. 8, lines 27-52) but do not specifically disclose a blind spot indicator light source for indicating when an object is detected in a blind spot of the vehicle. Schofield discloses a blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-22). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Pastrick et al. with the blind spot indicator of Schofield for the purpose of allowing the driver to recognize another vehicle in the blind spot (col. 3, lines 17-22).

Regarding claim 17, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, wherein said light module includes at least one LED device that is selectively actuated to function as both said blind spot indicator (216) and said door illuminator (30) (col. 13, lines 62-66).

Regarding claim 18, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, further including a deviator for redirecting a portion of the light emitted from said at least one LED device towards the eyes of a driver of the vehicle for blind spot indication (col. 7, lines 55-67 and col. 8, lines 1-5).

Regarding claim 19, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, further comprising a reflector disposed relative to said at least one LED device to direct light emitted from said at least one LED device in a desired direction, said deviator being a facet in said reflector (col. 14, lines 39-43).

Regarding claim 20, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, wherein said at least one LED device emits effective white light when operating in a door illumination mode and emits light of a different color when operating in a blind spot indicator mode (col. 7, lines 41-44 and col. 8, line 67 and col. 9, line 1).

Regarding claim 21, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, further including a turn signal light (32) (col. 8, lines 66-67 and col. 9, line 1).

Regarding claim 22, Pastrick et al. discloses, in figures 1-5, a rearview mirror assembly for a vehicle comprising: a housing (34) configured for attachment to the vehicle (col. 6, lines 56-59); a mirror (28) positioned in said housing (34) (col. 7, lines 4-8); a turn signal light source (32a) (col. 8, line 66 and col. 9, line 1); and a door illuminator light source (30) configured to project light towards the door handle and/or locking mechanism (88) of the vehicle (col. 6, lines 54-55 and col. 8, lines 27-52) but do not specifically disclose a blind spot indicator light source for indicating when an object is detected in a blind spot of the vehicle. Schofield discloses a

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blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-22). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Pastrick et al. with the blind spot indicator of Schofield for the purpose of allowing the driver it recognize another vehicle in the blind spot (col. 3, lines 17-22).

Regarding claim 23, Pastrick et al. discloses, in figures 21-23, a rearview mirror assembly for a vehicle, wherein said door illuminator light includes at least one LED device for emitting effective white light (col. 13, lines 57-64).

Regarding claim 24, Pastrick et al. discloses, in figures 21-23, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes a plurality of differently colored LED chips (col. 13, lines 57-67 and col. 14, lines 1-25) but does not specifically disclose a blind spot indicator light source for indicating when an object is detected in a blind spot of the vehicle. Schofield discloses a blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-22). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Pastrick et al. with the blind spot indicator of Schofield for the purpose of allowing the driver it recognize another vehicle in the blind spot (col. 3, lines 17-22).

Regarding claim 25, Pastrick et al. discloses, in figures 21-23, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes an LED chip that emits red light when activated to provide a warning of an object in the vehicle's blind spot (col. 13, lines 57-67 and col. 14, lines 1-25).

Regarding claim 26, Pastrick et al. discloses, in figures 21-23, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes a first LED chip that emits amber light when activated to provide an indication that blind spot detection system to which the LED device is coupled is operational (col. 13, lines 57-67 and col. 14, lines 1-25).

Regarding claim 27, Pastrick et al. discloses, in figures 21-23, a rearview mirror assembly for a vehicle, wherein said at least one LED device further includes a second LED chip that emits blue-green light, when said first and second LED chips are simultaneously activated the LED chips emit light that mixes and forms effective white light illumination that is projected towards a door handle of the vehicle (col. 13, lines 57-67 and col. 14, lines 1-25).

Regarding claim 28, Pastrick et al. discloses, in figures 21-23, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes a first LED chip that emits blue-green light when activated to provide an indication that blind spot detection system to which the LED device is coupled is operational (col. 13, lines 57-67 and col. 14, lines 1-25).

Regarding claim 29, Pastrick et al. discloses, in figures 1-5, s rearview mirror assembly for a vehicle, wherein said turn signal light source (32) and said door illuminator light source (30) are mounted in a common lamp module (figure 1).

Regarding claim 30, Pastrick et al. discloses, in figure 43, s rearview mirror assembly for a vehicle, wherein at least one of said light sources (818) is disposed behind said mirror (816) so as to project light through said mirror (816) (col. 27, lines 4-6).

Regarding claims 32 and 53, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, said light module comprising: a turn signal light source (32a) (col. 8, line 66 and col. 9, line 1) but does not specifically disclose a blind spot indicator



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light source for indicating when an object is detected in a blind spot of the vehicle. Schofield discloses a blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-22). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Pastrick et al. with the blind spot indicator of Schofield for the purpose of allowing the driver it recognize another vehicle in the blind spot (col. 3, lines 17-22).

Regarding claims 33 and 54, Pastrick et al. discloses, in figures 21-23, a light module for a vehicle rearview mirror assembly, further comprising a reflector disposed to direct light emitted from said turn signal light (col. 14, lines 39-43) but does not specifically disclose a blind spot indicator light source for indicating when an object is detected in a blind spot of the vehicle. Schofield discloses a blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-22). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Pastrick et al. with the blind spot indicator of Schofield for the purpose of allowing the driver it recognize another vehicle in the blind spot (col. 3, lines 17-22).

***Allowable Subject Matter***

4. Claims 14, 15, and 34-52 are allowed.
5. Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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6. The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in claim(s) 8, 14, and 34, wherein the claimed invention comprises, in claim 8, wherein said door illuminator light source is activated during both a door illumination lighting mode and a turn signal lighting mode; in claim 14, a reflector having at least two reflector cups, wherein each LED device is associated with one of the reflector cups; in claim 34, a turn signal indicator comprising a first, second, and third light source that are sequentially activated, as claimed.

#### *Response to Arguments*

7. Applicant's arguments filed 3/12/07 have been fully considered but they are not persuasive. Regarding claim 1, the applicant argues that the door illuminator is not positioned behind the mirror, however, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention to reposition the security light behind the mirror for the purpose of the security light is previously behind a reflector (62), therefore repositioning the security light behind a different reflector would not alter its function (col. 7, lines 39-40). Regarding claims 16, 22, and 32, the applicant argues that the door illuminator and the blind spot indicator must share a common light source, circuit board, reflector, and lens. The applicant argues that the blind spot indicator or Schofield et al. would not result in commonly sharing this items, however, the rearview mirror assembly can be altered from its original structure. By combining the devices of Pastrick et al. and Schofield et al., it is possible to permit

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the door illuminator and the blind spot indicator to share a light source, circuit board, reflector, and lens.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N. Thomas whose telephone number is 571-272-2341.

The examiner can normally be reached on Monday - Thursday from 6-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brandi N Thomas  
Examiner  
Art Unit 2873

BNT

BNT  
May 22, 2007

  
RICKY MACK  
SUPERVISORY PATENT EXAMINER